


Unacceptable Behaviour

If you have difficulty with sight or hearing, or if you require a translated copy of this document, we would be pleased to provide this information in a form that suits your needs.

	Policy number:	C07
	Policy approved on:	September 2024
	Due for review:	September 2027

Our Vision, Mission Statement and Values

Glen Oaks' vision statement '**Where Communities Thrive**' and our mission statement '**Our aim is to provide good quality affordable housing and an excellent service. We will encourage resident participation and work with other agencies to regenerate our community**' provide the foundation for Glen Oaks Housing Association's commitment to its residents and the communities they live in.

This commitment is also demonstrated in the Association's values which were agreed following discussions with the Board and staff. Glen Oaks' values are fundamental to how we carry out our day-to-day activities.

Our values are:

respectful

we trust and respect our customers and each other.

dedicated

we will give 100% commitment to our work.

transparent

we will be open and honest about what we do.

aspirational

we will strive to achieve the best we can for our communities.

Equality & Diversity Statement

The Association is intent on ensuring people or communities do not face discrimination or social exclusion due to any of the following protected characteristics: age; disability; sex; marriage & civil partnership; race; religion or belief; sexual orientation; gender reassignment; pregnancy & maternity.

This document complies with the Association's equality & diversity policy.

The Association will regularly review this document for equal opportunities implications and take the necessary action to address any inequalities that result from the implementation of the policy.

Section		Page
1.0	Introduction	1
2.0	Policy Aims	1
3.0	Defining Unacceptable Behaviour or Actions by Customers	1 - 4
4.0	Managing Unacceptable Actions	4 - 6
5.0	Restricting Contact	6
6.0	Appealing a Decision to Restrict Contact	7 - 8
7.0	Recording and Reviewing a Decision to Restrict Contact	6
8.0	Dissemination	6
9.0	Notifiable Events	6
10.0	Policy review and consultation	6

1.0 Introduction

- 1.1 Glen Oaks Housing Association is committed to providing the highest level of customer service and we believe that all our customers have the right to be heard, understood and respected: in return, we expect our customers to behave appropriately towards our staff and that staff will not be subjected to unacceptable behaviour in the course of their work. The term customer includes anyone acting on behalf of a customer or who contacts us in connection with a complaint.

2.0 Policy Aims

- 2.1 To deal fairly, honestly, consistently, and appropriately with all of our customers, including those whose actions we may consider to be excessively challenging or unacceptable.
- 2.2 To ensure that Glen Oaks staff, volunteers and contractors delivering a service on Glen Oak's behalf are treated with respect and are not subject to verbal or physical abuse by any of our customers.
- 2.3 That we provide a service that is acceptable to all customers. We retain the right however to change or restrict access to our services where we consider a customer's actions or behaviours to be excessively challenging or unacceptable.
- 2.4 To ensure that other customers and Glen Oaks staff and volunteers do not suffer any disadvantage from customers who may act in an unacceptable way.

3.0 Defining Unacceptable Behaviour or Actions by Customers

- 3.1 We understand that people may act out of character in times of trouble or distress. There may have been upsetting or distressing circumstances leading up to a complaint coming to us. We do not view behaviour as unacceptable just because a customer is forceful or determined. However, the actions of customers who are angry, demanding, or persistent may result in unreasonable demands on us or unacceptable behaviour towards Glen Oaks staff. It is these actions that we consider unacceptable and aim to manage

under this policy. We take a strict zero tolerance approach to any form of discrimination, harassment, victimisation, aggression or bullying, including the prohibited conduct described in the Equality Act 2010.

These actions are grouped under four broad headings.

The following actions are considered unacceptable:

- Aggressive or abusive behaviour (verbal or physical)
- Unreasonable demands
- Unreasonable persistence
- Unacceptable behaviour (verbally, in writing or on social Media)

3.2 *Aggressive or Abusive Behaviour*

While we understand that a customer may be angry about the issues raised, if that anger escalates into aggression towards Glen Oaks staff, we consider that unacceptable. Any violence or abuse towards staff will not be tolerated.

Violence is not restricted to acts of aggression that may result in physical harm. It also includes behaviour or language (whether verbal or written) that may cause staff to feel afraid, threatened or abused.

The Health and Safety Executive define violence at work as *“Any incident in which an employee is abused, threatened or assaulted by a member of the public in circumstances arising out of the course of his, or her employment”*.

This will include not only physical attacks, but threats and fear of violence, verbal abuse, racial, religious and sexual harassment, or humiliating behavior, likely to undermine self-confidence and cause employees to suffer anxiety or stress related disorders.’

Examples of behaviours grouped under this heading include:

- Threats
- Language (oral, written, or electronic communication) that may cause staff to feel upset, afraid, threatened or abused.
- Physical violence
- Personal verbal abuse
- Persistent Shouting

- Persistent Swearing
- Derogatory or insulting remarks
- Inflammatory statements or unsubstantiated allegations
- Using audio or Video recordings within the public domain for the purpose of harassment, victimisation, slander, and stalking.
- Vandalism or damage to personal or work property.
- Sexist, racist, homophobic or any other discriminatory comments /abuse

We recognise that the list above is not exhaustive and many forms of engagement that make a staff member feel threatened or abused will be taken into consideration.

We recognise that a customer may wish to record an interaction (audio and or video) in connection with and in support of a concern or issue they have with the Association and may be able to legitimately do so. We consider this behaviour to be unacceptable if the recordings are used in the public domain for the purpose of harassment, victimisation, slander, libel, and / or stalking or similar.

Where a staff member is legitimately concerned with the nature of any recording (e.g. feels threatened, uncomfortable or does not want to participate in recorded communications and / or interactions) they shall be entitled to end the engagement and consider other forms of communication e.g. written or escalation to their Line Manager.

In line with our Policy on Dignity at Work we expect our staff to be treated courteously and with respect. Intimidation, violence, and abuse are unacceptable. Our staff understand the difference between aggression and anger. We recognise that service users who have lodged a complaint or correspondence may feel angry about the events leading up to that stage, and that the anger felt by many service users involves the subject matter of their correspondence or complaint. However, it is unacceptable for anger to escalate into aggression directed towards Glen Oaks staff.

Staff will receive training where required to deal with such situations. We expect our staff to be treated courteously and with respect.

3.3 *Unreasonable Demands*

It is difficult to list all examples of what might be deemed to be unreasonable demands on staff time and Glen Oaks resources. What amounts to

unreasonable demands will always depend on the circumstances surrounding the behaviour and the seriousness of the issues raised by the customer. In general, the following guidelines should be followed:

Customers may make what we consider unreasonable demands on us through:

- The amount of information they seek.
- The nature and scale of service they expect.
- The number of approaches they make.
- The frequency and volume of their phone calls, office visits or electronic communications.

Examples of actions grouped under this heading include:

- Demanding responses within an unreasonable timescale
- Insisting on seeing or speaking to a particular member of staff
- Continual phone calls, letters, or emails
- Repeatedly changing the substance of a complaint or raising unrelated concerns

We consider these demands to be unacceptable and unreasonable if they start to impact substantially on the work of the office, such as taking up an excessive amount of staff time to the disadvantage of other customers or functions.

3.4 *Unreasonable Persistence*

We recognise that some customers will not, or cannot, accept that Glen Oaks is unable to assist them further or provide a level of service other than that provided already. Customers may persist in disagreeing with the action or decision taken in relation to their complaint or contact the office persistently about the same issue.

Examples of actions grouped under this heading include:

- Persistent refusal to accept a decision made in relation to a complaint.
- Persistent refusal to accept explanations relating to what we can or cannot do.
- Persistent refusal to follow relevant procedures.

- Continuing to pursue a complaint without presenting any new information.

The way in which these customers approach us may be entirely reasonable, but it is their persistent behaviour in continuing to do so that is not.

We consider the actions of persistent customers to be unacceptable when they take up what the Association regards as being a disproportionate amount of time and resources to the disadvantage of other customers or functions.

4.0 Managing unacceptable actions.

- 4.1 To manage a customer's actions under this policy, we must make sure we have gathered sufficient information and evidence to support any application of this. We will work to ensure that no individual experiences unfair treatment in the provision of our services and in line with our Equality, diversity policy and Human Rights policy, where a customer has a disability which has a bearing on managing the customers actions this will be taken into account where known, and any reasonable adjustments considered in assessing the proportionality of action being taken.
- 4.2 There are relatively few customers whose actions we consider unacceptable. How we aim to manage these actions depends on their nature and extent. If it adversely affects our ability to do our work and provide a service to others, we may need to restrict customer contact with us to manage the situation.
- 4.3 If the unacceptable action relates to a complaint, we will ensure that it is being, or has been, dealt with according to our published complaints procedure.
- 4.4 Where a customer repeatedly phones, visits the office, sends irrelevant documents, or raises the same issues, the possible actions will include the following:
- We will end telephone calls if the caller is considered aggressive, abusive, or offensive. Glen Oaks Employees have the right to make this decision, tell the caller that the behaviour or language is unacceptable and end the call if the behaviour does not stop.
 - The same principle applies to people who visit our offices and at home visits. Employees have the right to terminate interviews and request the person to

leave the office, and to terminate a home visit and leave immediately. Should the person fail to leave of their own volition then employees may contact the Police for assistance.

- We may advise the tenant or customer that we consider the issue(s) fully responded to and that continuing correspondence on the issue(s) would serve no useful purpose. In these circumstances future correspondence relating to the issue will be noted and filed but will not be acknowledged or responded to unless it contains new significant information which we consider requiring action or response.
- We may advise the tenant or customer that we can only consider a certain number of issues within a given time period and ask them to limit or focus their request accordingly.
- We may restrict tenant or customer contact with our offices or staff for our core services and wider role services including welfare rights, and goConnect services.
- We may restrict contact to a named individual for all matters with the exception of reporting repairs (particularly emergency repairs).
- When we receive correspondence that is abusive to staff or contains unsubstantiated allegations, we will tell the customer in writing what we consider unacceptable and why. We will ask the tenant or customer to stop communicating in this way and advise that we will not respond to future correspondence if it continues. If this behaviour continues, we may require future contact to be through a third party and will advise the customer accordingly of the decision.

5.0 Restricting contact

- 5.1 The threat or use of severe physical violence, verbal abuse or harassment towards staff will result in restricting or ending all direct contact with the customer and the matter being reported to Police Scotland. This includes abuse or harassment on the basis of race, colour, ethnic origin, sexual orientation, physical ability, mental health, or other grounds.

- 5.2 In these cases, the relevant Manager, Director will have the authority to deal with that behaviour immediately in a manner they consider appropriate. Which can include an immediate safety alert being placed on customer and or customer address.
- 5.3 We will restrict contact in a way that allows the customer to continue receiving a service from us and continue to progress through any process they are currently involved in, for example a current complaint, a housing application, or an on-going repair, however, this may have to be done through a third party where contact has already been limited.
- 5.4 We will not waiver to pursue legal action, such as an Antisocial Behaviour Order or the recovery of tenancies, where circumstances merit this.
- 5.5 Any restrictions imposed by us will not affect a tenant's or other customer's statutory rights such as any right to request information under the Freedom of Information (Scotland) Act 2002 (FOISA), the Environmental Information (Scotland) Regulations 2004 (EIR) or the Data Protection Act 2018 or to matters where there is a statutory right to consultation. Any information requests under FOISA or EIR will be considered under the normal terms of the associated access arrangements. However, if any such requests are made in a harassing or unreasonable manner, they may be deemed vexatious under FOISA or manifestly unreasonable under EIR.

6.0 Appealing a decision to restrict contact.

- 6.1 A customer can appeal a decision to restrict contact via the Association's standard Complaints Procedure. The appeal will be treated as a Stage 2 Investigation Complaint as per the Scottish Public Services Ombudsman's (SPSO) Complaints Procedure.
- 6.2 A Director not involved in the original decision or the Chief Executive will consider the complaint.
- 6.3 The formal complaint response will advise the customer in writing that either the restricted arrangements still apply, or a different course of action has been agreed. If the customer is still unhappy with the outcome of the Stage 2 investigation, they have a right of appeal to the SPSO. This information will be made clear in the formal complaint response.

7.0 Informing the customer.

- 7.1 In all cases, we will contact the customer to explain what actions we consider unacceptable and why. We will ask the customer to moderate their behaviour and explain what actions we may take if they do not.
- 7.2 Wherever possible, we will give a customer the opportunity to modify their behaviour or actions before a decision is taken to apply the unacceptable actions policy. In the first instance unless involving physical or sexually motivated conduct or violence we will always write to a customer and ask them to amend their behaviour.
- 7.3 We may offer to meet the customer to discuss the unacceptable actions and agree a way forward. It may be appropriate in some cases to engage a third party.
- 7.7 Where we must take action, we will tell the customer in writing what action we are taking and why, the details of the restricted contact arrangements and the length of time that the restriction will be in place. The length of time the restrictions remain in place will last a minimum of 6 months and be reviewed every 6 months thereafter.
- 7.8 All incidents of unacceptable actions and any decision taken to restrict customer contact are recorded and we will ensure relevant employees are informed of any restrictions put in place; this may also include contractors and other statutory agencies.
- 7.9 A review will be undertaken by the Housing Services Manager and Technical Manager with the decisions reviewed and approved by the Corporate Management Team in advance of the restriction elapsing. This will determine if the restriction will be lifted or continued based on the customer's recent actions and behaviour.

8.0 Supporting our Staff.

- 8.1 Where we have taken action or consider action necessary against unacceptable behaviour, the relevant manager/ Director will tell the staff member(s) involved of the actions they have taken against the perpetrator to reduce the likelihood of this happening again and to provide the necessary support mechanisms and assurance to staff.

8.2 Staff shall be informed of any ongoing dialogue or actions being progressed as they continue to ensure that staff member(s) are fully informed of the action be taken against persons who have displayed unacceptable act. Line managers shall communicate with staff member(s) regularly and ensure that any employee support is maintained particularly where, Employee Advisory Resource has been advised to provide additional support and counselling.

8.3 In the event that Police Scotland involvement, staff members should be offered advice and guidance on proceedings should unacceptable behaviour result in criminal proceedings.

8.4 Staff will be notified when restrictions have been lifted and line managers will provide support where required.

9.0 Dissemination

9.1 The policy will be published on the Association's website, and new tenants will be sent a link as part of the sign up process. A paper copy will be provided when requested.

10.0 Notifiable Events

10.1 Notifiable events covered under this policy will be reported to the Scottish Housing Regulator in line with the Notifiable Events Policy.

11.0 Policy Review

11.1 This policy will be reviewed every three years or sooner in line with good practice, to ensure it responds to any changing circumstances and that the policy aims are being achieved.